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OFFICE OF PETITIONS

In re Patent No. 7,335,230
Issue Date: February 26, 2008
Application No. 09/990,320
Filed: November 23, 2001
Attorney Docket No. 31014/41515

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DECISION ON PETITION

This is a decision on the Request under 37 CFR 3.81, filed August 11, 2008 to add the second assignee's name and residence on the PTOL-85B. The Request is being treated as a Petition. A completed Certificate of Correction Form was also submitted on August 11, 2008.

The petition under 37 CFR 3.81 is **GRANTED**.

Petitioner urges that the present Petition was submitted to correct the omission of the second assignee's name and residence on the previously submitted PTOL-85B and that such omission was inadvertently included on form PTOL-85B. Accordingly, petitioner requests that a Certificate of Correction (PTO-1050) be issued to add the erroneously omitted assignee's name and residence to the Title Page of the Letters Patent.

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter.

The requisite \$100.00 fee (Fee Code 1811) as set forth under 37 CFR 1.20(a), and the requisite \$130.00 processing fee (Fee Code 1464) as set forth under 37 CFR 1.17(i) were submitted. Further, Office assignment records are consistent with the requested correction. Accordingly,

since the Petition complies with the provisions of 37 CFR 3.81(b), it is appropriate for the Office to issue a Certificate of Correction in accordance with the content of the Form PTO/SB/44 that accompanied the present Petition.

Inquiries related this communication should be directed to Cheryl Gibson-Baylor at (571)272-3213.

Any questions concerning the issuance of a Certificate of Correction should be directed to the Certificates of Correction Branch at (571) 272-4200.

This matter is being referred to the Certificates of Correction Branch for processing of a Certificate of Correction in U.S. Patent No. 7,335,230.

A handwritten signature in black ink, appearing to read 'Brian W. Brown', with a stylized, flowing script.

Brian W. Brown
Petitions Examiner
Office of Petitions